

WEINER, BRODSKY, SIDMAN & KIDER

ATTORNEYS AT LAW

PROFESSIONAL CORPORATION

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RECORDATION NO. 13082 F
FILED 1425

JAN 26 1994 - 10 05 AM

INTERSTATE COMMERCE COMMISSION

January 25, 1994

* NOT ADMITTED IN D.C.

BY HAND DELIVERY

0100094006

Hon. Sidney L. Strickland, Jr.
Secretary
Interstate Commerce Commission
Room 2215
12th and Constitution Avenue, N.W.
Washington, D.C. 20423

Dear Secretary Strickland:

I have enclosed an original and four copies of the document described below, to be recorded pursuant to Section 11305 of Title 49 of the U.S. Code.

This document is a partial release and satisfaction and bill of sale by Mercantile-Safe Deposit and Trust Company ("Mercantile"), releasing the equipment described below from the Equipment Trust Agreement dated March 1, 1981, between Mercantile and The Chesapeake and Ohio Railway Company, predecessor to CSX Transportation, Inc.

The primary document to which this filing is connected was recorded under Recordation No. 13082.

The names and addresses of the parties to the document are as follows:

Borrower: The Chesapeake and Ohio Railway Company
(CSX Transportation, Inc.)
500 Water Street
Jacksonville, Florida 33202

Trustee: Mercantile-Safe Deposit and Trust Company
P.O. Box 2258
Baltimore, MD 21203

RECEIVED
OFFICE OF THE
SECRETARY
JAN 26 9 52 AM 1994
LICENSING BRANCH

WEINER, BRODSKY, SIDMAN & KIDER, P.C.

A description of the equipment covered by the document follows:

<u>Locomotive Numbers</u>	<u>Previous Owner</u>	<u>Present Owner</u>	<u>Type</u>
2000- 2009, inclusive	C&O	Chicago SouthShore & South Bend Railroad Company	GP38-2

A fee of \$18.00 is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to:

Jo A. DeRoche
Weiner, Brodsky, Sidman & Kider, P.C.
1350 New York Avenue, N.W.
Suite 800
Washington, D.C. 20005

A short summary of the document to appear in the index follows:

Release of Equipment Trust Agreement dated March 1, 1981, Recordation Number 13082, dated May 6, 1981, covering ten GP38-2 locomotives marked CSS 2000-2009.

Also attached is an affidavit executed by the attorney-in-fact for Chicago SouthShore and South Bend Railroad and appropriately notarized declaring that any copies transmitted herewith have been compared to the original and have been found to be complete and identical in all respects to the original document.

Very truly yours,

Chicago SouthShore &
South Bend Railroad Company

By: Jo A. DeRoche
Jo A. DeRoche

Its Attorney and Agent in Fact

Enclosures

WEINER, BRODSKY, SIDMAN & KIDER, P.C.

AFFIDAVIT

UNITED STATES OF AMERICA)
) SS
DISTRICT OF COLUMBIA)

The undersigned states that the undersigned has read a true copy of the original document and that the document attached hereto is a complete and identical document in all respects to the original.

The undersigned has compared the copy with the original and has found the copy to be complete and identical in all respects to the original document.


This affidavit is made pursuant to the procedures in Section 1177.3(b)(3) relative to the recordation of documents with the Interstate Commerce Commission.

AFFIANT:

Jo A. DeRoche

I, DEWI SOFMANTORO, a notary public in and for the District of Columbia, do hereby certify that the foregoing affidavit was acknowledged before me this 25 day of JANUARY, 1994 by JO A. DE ROCHE, attorney-at-law.

Given under my hand and seal this 25 day of January, 1994.



Notary Public
Dewi Soemantoro
Notary Public, District of Columbia
My Commission Expires May 14, 1996

Interstate Commerce Commission
Washington, D.C. 20423

1/26/94

OFFICE OF THE SECRETARY

Jo A. DeRoche
Weiner Brodsky Sidman & Kider
1350 New York Ave. N.W., Suite 800
Washington, D.C. 20005

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions
of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303,
on 1/26/94 at 10:05am, and assigned
recording number(s). 13082-E & 13106-A

Sincerely yours,

Secretary
SIDNEY L. STRICKLAND, JR.

Enclosure(s)

JAN 26 1994 - 10 05 AM

Counterpart No. _____

Of.

INTERSTATE COMMERCE COMMISSION

PARTIAL RELEASE AND SATISFACTION AND BILL OF SALE

THE CHESAPEAKE AND OHIO RAILWAY EQUIPMENT TRUST OF 1981

DATED AS OF MARCH 1, 1981

KNOW ALL MEN BY THESE PRESENTS that Mercantile-Safe Deposit and Trust Company, Trustee under a certain Equipment Trust Agreement dated as of March 1, 1981, between the Trustee and The Chesapeake and Ohio Railway Company, said Agreement establishing The Chesapeake and Ohio Railway Equipment Trust of 1981, hereby certifies that it has been informed by CSX Transportation, Inc. (Successor by merger to The Chesapeake and Ohio Railway Company) that 10 Model GP38-2 2000 H. P. diesel-electric locomotives having road nos. CSS 2000/2009 (the "Equipment") subject to said Equipment Trust Agreement have been reported destroyed, worn out or unsuitable for the use of the Company, and CSX Transportation, Inc. has deposited with it the fair value of the Equipment.

WHEREFORE, in consideration of One Dollar (\$1.00) and other valuable consideration:

Mercantile-Safe Deposit and Trust Company does hereby sell, assign, convey, transfer, set over, release and quitclaim without warranty or guaranty of any kind, express or implied, unto CSX Transportation, Inc. all of its right, title and interest in and to all of the Equipment listed in Schedule A hereto, and affirms that the Equipment is free from any lien or claim by Mercantile-Safe Deposit and Trust Company under said Equipment Trust Agreement or otherwise.

IN WITNESS WHEREOF, Mercantile-Safe Deposit and Trust Company has caused these presents to be executed in its name by one of its Assistant Vice Presidents thereunto duly authorized and its corporate seal to be hereunto affixed and attested by one of its Corporate Trust Officers as of this 20th day of JANUARY, 1994.

ATTEST:

MERCANTILE-SAFE DEPOSIT AND
TRUST COMPANY, as Trustee

Robert D Brown
Corporate Trust Officer

By: [Signature]
Assistant Vice President

STATE OF MARYLAND))
) SS.
CITY OF BALTIMORE)

JAN 26 1994 - 10 05 AM

Counterpart No. 4
 Of 4 Pages

INTERSTATE COMMERCE COMMISSION

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ATTEST:

MERCANTILE-SAFE DEPOSIT AND TRUST COMPANY, as Trustee

Robert D. Brown
 Corporate Trust Officer

By: [Signature]
 Assistant Vice President

STATE OF MARYLAND)
) SS.
 CITY OF BALTIMORE)

On this 20 th day of January 1994,
before me personally appeared James A. Adams,
to me personally known, who, being by me duly sworn, says
that he is a Assisiant Vice President of Mercantile-Safe
Deposit and Trust Company, that the seal affixed to the
foregoing instrument is the seal of said corporation, that
said instrument was signed and sealed on behalf of the
corporation, by authority of its Board of Directors and he
acknowledged that the execution of the foregoing instrument
was the free act and deed of said corporation.



Notary Public
My commission expires September 25, 1994

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